

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

ANGEL L. YBARRA and GABRIEL  
B. YBARRA

Plaintiffs,

vs.

HOME 123 CORP., *et al.*,

Defendants.

Case No. 2:11-cv-00829-KJD-GWF

**ORDER**

This matter is before the Court on Plaintiffs' Request for Judicial Review (#22), filed July 28, 2011. This filing appears to be intended as a response to the pending motion to dismiss (#8). Near the end of the request, however, Plaintiffs ask the Court to "subpoena the records of Juan Pardo, [sic] and the records of Carla Tinoco and the accounting information of Deutsche National Trust Company ...." Pl.'s Mot. (#22) at 4:5-9. To the extent Plaintiffs seek discovery, the request is premature as the Court has not entered a scheduling order and discovery plan. Further, a prior court order is not required for issuance of a subpoena once discovery begins. Accordingly,

**IT IS HEREBY ORDERED** that Plaintiffs' Request for Judicial Review (#22) is **denied**.

Dated this 2nd day of August, 2011.

  
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**GEORGE FOLEY, JR.**  
United States Magistrate Judge